

HOWARD COUNTY BOARD OF COMMISSIONERS' MEETING: OCTOBER 18, 2021

The Howard County Board of Commissioners met in Regular Session on Monday, October 18, 2021, at 4:00 p.m. in Hearing Room 338 of the Howard County Administration Center. Those in attendance included President Paul Wyman, Vice-President Robert B. Bray, Member Jack Dodd, County Attorney Alan Wilson, and County Auditor Jessica Secrease.

The meeting was called to order by Major Gary Cook and conducted by President Paul Wyman. Commissioner Brad Bray led the Pledge of Allegiance, and President Wyman offered a word of prayer.

IN THE MATTER OF APPROVAL OF MINUTES:

The minutes from the regular meeting held on October 4, 2021, having been previously submitted and reviewed, were approved as presented on a motion made by Commissioner Dodd. Commissioner Bray seconded the motion, and the motion carried.

IN THE MATTER OF DEPARTMENTAL BUSINESS & REPORTS:

HOWARD COUNTY ASSESSOR:

Signature of Change Finder Agreement:

County Assessor Mindy Heady presented the amendment to be signed from Change Finder Agreement. This contract, along with the pictometry contract, adds a layer of higher resolution aerial imagery. Ms. Heady stated that this is also available for the Survey's Office to use. The amended agreement was submitted and approved as presented on a motion made by Commissioner Bray. Commissioner Dodd seconded the motion, and the motion carried.

HOWARD COUNTY COMMUNITY SUPERVISION:

Approval of Master Service Agreement:

Howard County Community Supervision Director Dustin DeLong presented that at this time he is withdrawing this request.

Approval of Statement of Work #1:

Howard County Community Supervision Director Dustin DeLong presented that at this time he is withdrawing this request.

Approval of Schedule E4 to the Memorandum of Understanding Agreement:

Howard County Community Supervision Director Dustin DeLong presented the Memorandum of Understanding between Total Courts Services and Howard County Community Corrections for the Schedule E4 Court Fact Software & Mobile Application Product & Services Agreement. The Memorandum of Understanding was approved as presented on a motion made by Commissioner Dodd. Commissioner Bray seconded the motion, and the motion carried.

HOWARD COUNTY HIGHWAY DEPARTMENT:

Requesting Advertisement for the Annual Material and Supply Bids:

County Highway Engineer Amber Tolle requested the approval to advertise for the Annual Material and Supply Bid with bids requesting to be returned no later than 3:00 p.m. on November 1, 2021. The approval to advertise for the Annual Material and Supply Bid was approved as presented on a motion made by Commissioner Bray. Commissioner Dodd seconded the motion, and the motion carried.

Presentation of the Contract for the Garage Reconstruction Project:

County Highway Engineer Amber Tolle presented the bid from Hearn Construction in the amount of \$1,005,90.00 with updates on the bid for Change Order #1 to add truck lifts and jack stands in the amount of \$132,000.00. Change Order #2 added structure for drainage in the amount of \$12,400.00, and Alternate #1 was in the amount of \$72,400.00. Change Order #3 was for missed demo and back fill on the area around the Alternate #1 work in the amount of

\$32,650.00. Change Order #4 added a 15-foot expansion onto the south end of the west building in the amount of \$45,750.00. All four change orders made the total of the bid \$1,300,290.00. A motion was made by Commissioner Dodd to accept the updates as presented to the final bid from Hearn Construction in the amount of \$1,300,290.00. Commissioner Bray seconded the motion, and the motion carried.

HOWARD COUNTY COMMISSIONERS – ATTORNEY DAVID BAIRD:

Ordinance 2021-BCCO-41 Vacating Easements in Timberly Place P.U.D. Liberty Township, Howard County, Indiana
Attorney David Baird presented on behalf of all 11 homeowners in the Timberly Place, with approval of Howard County Attorney Alan Wilson, to petition the Board of Commissioners of Howard County to vacate the easements in Timberly Place Lots 1-11 in Liberty Township, Howard County, Indiana. This was presented as Ordinance 2021-BCCO-41 and was submitted and approved by a motion made by Commissioner Bray. Commissioner Dodd seconded the motion, and the motion carried.

IN THE MATTER OF OLD BUSINESS:

Commissioner President Paul Wyman stated that the Solar Ordinance has been updated on the County website as of October 18, 2021. The commissioners thanked the public for participating in the public comments concerning the Solar Ordinance. The Solar Ordinance in place will be voted on at the next Commissioners Meeting on November 1, 2021.

IN THE MATTER OF CLAIMS AND REPORTS:

Howard County Auditor Jessica Secrease submitted the following claims and reports for the Commissioners' information and approval:

1. **Salary Claims:** The Commissioners' Salary, Hourly, and Overtime Claims for payment on October 8, 2021, in the amount of \$829,241.53 were submitted and approved as presented on a motion made by Commissioner Dodd. Commissioner Bray seconded the motion, and the motion carried.
2. **Payroll Expense:** The Commissioners' Payroll Expenses for payment on October 8, 2021, in the amount of \$828,646.03 were submitted and approved as presented on a motion made by Commissioner Dodd. Commissioner Bray seconded the motion, and the motion carried.
3. **Operating Claims:** The Commissioners' Operating Claims for payment on October 18, 2021, in the amount of \$550,700.45 were submitted and approved as presented on a motion made by Commissioner Dodd. Commissioner Bray seconded the motion, and the motion carried.
4. **Monthly Reports:** Reports were submitted for review and accepted by the Board:
 - a. Weights & Measures Monthly Report for September 16 - October 16, 2021
 - b. County Treasurer's Monthly Report for August 2021

IN THE MATTER OF COMMISSIONERS ISSUES:

Commissioner Wyman submitted the Howard County 2022 Holiday Schedule. The Howard County Holiday Schedule for 2022 was submitted and approved as presented on a motion made by Commissioner Bray. Commissioner Dodd seconded the motion, and the motion carried.

PUBLIC COMMENTS:

Resident Brad Semon of 10954 E. 100 S., Greentown, IN 46936: Mr. Semon stated that he was concerned about not having a property value guaranteed in the Solar Ordinance, and he is also concerned that the wells are only being tested before the construction. After the construction is complete, he would like to see the wells tested annually. Commissioner Wyman addressed that the property value guarantees are hard to enforce and that it's hard to determine the property market when it has been very unpredictable recently. The Commissioners are more in favor of Good Neighbor Agreements. Commissioner Dodd stated that Howard County has a Stormwater Department that keeps an

eye on what is put in the streams in Howard County and that he feels confident that if the water was contaminated that they will find out. Commissioner Dodd went on to say that this ordinance is not just for the solar project, but that the ordinance includes all projects for Howard County.

Resident Clee Oliver of 5768 W. 00 NS., Kokomo, IN 46901: Mr. Oliver asked who the County Executive is. County Attorney Alan Wilson and Commissioner Wyman explained that the Commissioners are the County Executives. Mr. Oliver asked if the Ordinance is going to stay the way it is currently written. Commissioner Wyman stated that he felt that he was confident in the way the ordinance had been released with updates as of October 18, 2021. Mr. Oliver asked if this ordinance will go before the Board of Zoning. County Attorney Alan Wilson stated that it will still go through the Board of Zoning.

Resident Joe Northcutt of 1187 N. 1100 E., Greentown, IN 46936: Mr. Northcutt stated that he felt like that there was not enough time to read the ordinance as it was just updated and released on the County website on October 18, 2021, and the final decisions will be made November 1, 2021. Commissioner Wyman informed Mr. Northcutt that the ordinance has been out on the County website for some time and the Commissioners only added the updates on the County website today. Mr. Northcutt also expressed his concern about the testing of the wells as he thinks that there would be no change to the well after the completion of the solar panels, but it possibly could be later. Commissioner Wyman asked what Mr. Northcutt thought was a fair amount of time for testing the wells. Mr. Northcutt stated that he is not sure how long that would take place. Mr. Northcutt asked who is going to enforce the solar company to repair any damaged to drains or field tiles. Commissioner Wyman stated that the County will repair any damage to the drains or field tiles as they would be in violation of the ordinance.

Resident Stan Oyler of 1877 N. 1100 E., Greentown, IN 46936: Mr. Oyler ask if the setback is 300 feet from the property line. Commissioner Dodd stated that the setback is 100 feet from the property line or 300 feet from any dwelling (or resident) on someone's property – whichever is greater. Commissioner Wyman explained it as that any person is getting 300 feet of distance no matter what. Mr. Oyler stated that they would like 300 feet from the property line, and Commissioner Wyman stated that this is also the feedback that the Commissioners received from the public comments. Commissioner Dodd stated that the Commissioners will get clarification of the wording of the feet from the dwelling or any building on the property. Mr. Oyler is requesting a camera be put thru the drains before the projects starts and after to ensure there has not been any damage to the drains.

***There being no further business to come before the Board of Commissioners
at this time, the meeting was adjourned at 4:45 p.m. on a motion
made by Commissioner Dodd. The motion was seconded by
Commissioner Bray, and the motion carried.***

HOWARD COUNTY BOARD OF COMMISSIONERS:

PAUL G. WYMAN, PRESIDENT

ROBERT B. BRAY, VICE PRESIDENT

JACK W. DODD, MEMBER

ATTEST:

JESSICA SECREASE, AUDITOR

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